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## F.T. Davis, Jr. to Senator James O. Eastland, 30 December 1977

F. T. Davis Jr.

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**PRESIDENT'S  
REORGANIZATION  
PROJECT**

*ANA*

WASHINGTON, D.C. 20503

DEC 30 1977

Honorable James O. Eastland  
United States Senate  
Washington, D.C. 20510

Dear Senator Eastland:

On August 25, 1977, President Carter established the Federal Legal Representation Study "to review the Federal Government's system for providing legal advice and representation to its departments, agencies and regulatory commissions."

The study is designed to examine how that system works, and to recommend ways to make it more effective and efficient. Six major issue areas have been identified:

(1) Legal Counseling

How can the quality of legal counseling performed by attorney's be improved? Do departments and agencies make the best use of the legal counseling available to them? Are there ways to improve the flow of information on legal matters among attorneys working in different agencies?

(2) Organization of Civil Litigation Functions

Is the current distribution of authority to conduct civil litigation for the Federal Government a rational distribution? Is it working? Are departments and agencies being well served by this allocation of responsibility? Would increased decentralization of this authority better serve departments and agencies in the years ahead? Increased centralization?

(3) Establishment of Litigation Priorities

How are choices made now to decide which matters should be litigated and which settled? Would priorities for litigation assist administrators in coordinating their program enforcement activities? Who should determine such priorities? To whom should they apply?

(4) Resolving Interagency Disputes Without Litigation

How often do agencies and departments have disputes with each other that result in courtroom litigation? Is litigation the best way to resolve such disputes? What other mechanisms could be used?



(5) Staff and Resource Allocation

If changes are proposed for the responsibility to conduct or supervise government litigation, what new resources should be made available to departments and agencies? What are the relationships among the 94 U.S. Attorney offices and the agency legal staffs operating in the field? Can these relationships be improved?

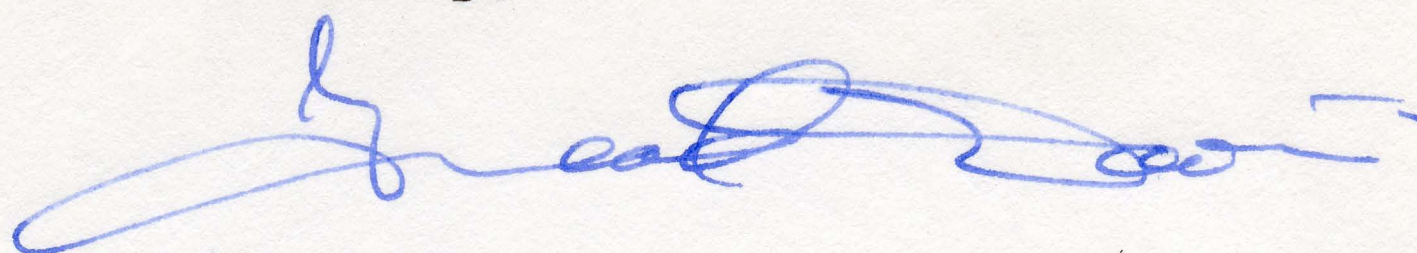
(6) Improving the Quality of Legal Representation

What training programs should be available to Federal Government attorneys? What opportunities should exist for an attorney in one agency to move to an attorney position in another agency? To whom should the government attorney be accountable?

Work is underway collecting data through questionnaires and interviews to permit the study staff to make well founded decisions in these areas of concern. I want to take this opportunity to ask for your comments on the areas listed above. If you or members of your staff would like additional information on this study, please contact Ms. Judith Areen, the Study Director, or Christopher Davis, the Study's Staff Director, Room 3236, New Executive Office Building, Washington, D.C. 20503, or 395-4962.

Your advice now and throughout the course of this study will be extremely valuable to us and I look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "F. T. Davis, Jr.", with a long, sweeping horizontal line extending to the left.

F. T. Davis, Jr.  
Director  
General Government Division